

PTO/SB/30 (5/2000)

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/839,752
Filing Date	April 19, 2001
First Named Inventor	Victor J. Dzau
Group Art Unit	1636
Examiner Name	Marvich, Maria
Attorney Docket Number	39753-0021C2

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.
NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. §1.114.

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☐ Amendment/Reply (Preliminary Amendment (pages)
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)—PTO Form 1449 with 5 cited references
- iv. ☒ Other Postcard.

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other

3. Fees

The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees of \$770.00, or credit any overpayments to Deposit Account No. 08-1641 (Docket No. 39753-0021C2)
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) (\$770.00)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) (MONTHS — \$)
- iii. ☐ Other
- b. ☐ Check in the amount of \$ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Ginger R. Dreger	Registration No. (Attorney/Agent)	33,055
Signature		Date	October 14, 2003

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this date:

Name (Print/Type)	Cheryl Ann Rogers	Date:	October 14, 2003
Signature		Express Mail Label:	EV346725565US

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES and Completed Forms to the following address: Mail Stop , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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